

House Calendar

Tuesday, February 6, 2024

35th DAY OF THE ADJOURNED SESSION

House Convenes at 10:00 A.M.

TABLE OF CONTENTS

Page No.

NOTICE CALENDAR

Favorable with Amendment

- H. 666** Escrow deposit bonds
Rep. Jerome for Commerce and Economic Development 168

Favorable

- H. 751** Expanding equal pay protections
Rep. Chesnut-Tangerman for General and Housing 169

ORDERS OF THE DAY

NOTICE CALENDAR

Favorable with Amendment

H. 666

An act relating to escrow deposit bonds

Rep. Jerome of Brandon, for the Committee on Commerce and Economic Development, recommends the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 27A V.S.A. § 4-110 is amended to read:

§ 4-110. ESCROW OF DEPOSITS

(a) ~~Any~~ Except as provided in subsection (b) of this section, any deposit made in connection with the purchase or reservation of a unit from a person required to deliver a public offering statement pursuant to subsection 4-102(c) of this title shall be placed in escrow and held either in this state State or in the state where the unit is located in an account designated solely for that purpose by a licensed real estate broker, an attorney licensed in that state, or a banking institution the accounts of which are insured by an agency or instrumentality of the government until the deposit is:

- (1) delivered to the declarant at closing;
- (2) delivered to the declarant after the purchaser's default under a contract to purchase; or
- (3) refunded to the purchaser.

(b)(1) If the agreement for purchase or reservation of a unit provides that deposit funds may be used for construction costs, the declarant obtains and maintains a surety bond as required by this subsection, and the declarant discloses the identity of the issuer of the surety bond to the purchaser, the declarant may withdraw escrow funds for purposes of construction. The funds shall only be used for actual building and construction costs of the project in which the unit is located.

(2) The bond shall be issued by a surety authorized to do business in the State of Vermont in favor of the purchaser in an amount adequate to cover the amount of the deposit to be withdrawn. The declarant shall not withdraw more than the face amount of the bond. The bond shall be payable to the purchaser if the purchaser obtains a determination by the issuer of the surety bond that a claim is payable to the purchaser under the terms of the bond, which shall be

consistent with the terms of the agreement for purchase or reservation, or a final judgment against the declarant requiring the declarant to return the deposit pursuant to the agreement for purchase or reservation. The bond may be either in the form of an individual bond for each deposit accepted by the declarant or in the form of a blanket bond assuring the return of all deposits received by the declarant.

Sec. 2. EFFECTIVE DATE

This act shall take effect on passage.

(Committee Vote: 8-0-3)

Favorable

H. 751

An act relating to expanding equal pay protections

Rep. Chesnut-Tangerman of Middletown Springs, for the Committee on General and Housing, recommends the bill ought to pass.

(Committee Vote: 10-0-2)

For Informational Purposes

Grants and Positions that have been submitted to the Joint Fiscal Committee by the Administration, under 32 V.S.A. §5(b)(3)(D):

JFO #3185: \$70,000.00 to the Attorney General's Office from the Sears Consumer Protection and Education Fund to improve accessibility and outreach of the Vermont Consumer Assistance Program to underserved populations in Vermont.

[Received January 31, 2024]

JFO #3184: Three (3) limited-service positions to the Agency of Human Services, Department of Health. One (1) Substance Abuse Program Evaluator, funded through 8/31/28; and one (1) Public Health Specialist II, and one (1) Family Service Specialist both funded through 9/29/2024. The positions are fully funded by previously approved JFO requests #3036 and #1891. These positions will support Vermont's Overdose Data to Action program and the Maternal Mortality Review Panel.

[Received January 31, 2024]

JFO #3183: \$182,500.00 to the Agency of Natural Resources, Department of Forests, Parks and Recreation. Funds will be used to complete the purchase of a conservation easement on a 183-acre parcel of land in Townshend, Vermont (Peterson Farm). *[Note: Remainder of the easement (\$82,500) is supported by a State appropriation agreement between the department and the VHCB. Closing costs, including department staff time, is funded by already budgeted federal funds. Ongoing enforcement costs are managed by the department's Lands and Facilities Trust Fund. A \$15,000.00 stewardship contribution to this fund will be made by the landowner at the time of the sale.]*

[Received January 31, 2024]

JFO #3182: \$125,000.00 to Agency of Natural Resources, Department of Environmental Conservation from the New England Interstate Water Pollution Control Commission to expand current monitoring of cyanotoxins in Lake Champlain and Vermont inland lakes.

[Received January 31, 2024]

JFO #3181: \$409,960.00 to the Agency of Commerce and Community Development, Department of Housing and Community Development from the U.S. Department of the Interior/National Park Service. Funds will be used for the preservation, repair, and restoration of the Old Constitution House, located in Windsor, Vermont. The first Constitution of Vermont was adopted on this site, then known as Elijah West's Tavern, on July 8, 1777. *[Note: A State match of \$53,714.00 is accomplished within the agency budget through the reduction of a fraction of an existing position base and existing capital bill funds.]*

[Received January 31, 2024]

JFO #3180: One (1) limited-service position, Administrative Services Director III, to the Agency of Administration, Recovery Office. Position will ensure that flood recovery projects are integrated with existing state and federal programs. Will also ensure compliance and tracking of already awarded grants as well as those anticipated in the wake of the July 2023 flooding event. Position is funded through already approved JFO Request #3165 as well as Acts 74 (2021) and 185 (2022). The position is fully funded through 7/31/2027.

[Received January 31, 2024]

JFO #3179: Two (2) limited-service positions. One (1) to the Department of Mental Health, Project AWARE Lead Coordinator and one (1) to the Agency of Education, Project AWARE Co-Coordinator. The positions will liaison to coordinate and expand the state's efforts to develop sustainable infrastructure for school-based mental health. Both positions are fully funded through 9/29/28 from previous SAMHSA grant award JFO #2934.

[Received January 26, 2024]

JFO #3178: \$456,436.00 to the Agency of Natural Resources, Secretary's Office from the U.S. Environmental Protection Agency. Funds will support (1) limited-service position, Environmental Analyst IV. This position will serve as administrative lead developing the updated Climate Action Plan with the Vermont Climate Council and perform added work required by the EPA grant. Position is funded through 6/30/2027.

[Received January 11, 2024]

JFO #3177: \$2,543,564.00 to the Agency of Natural Resources, Secretary's Office from the U.S. Environmental Protection Agency. Funding is phase one of a two-phase funding opportunity aimed to support Vermont with climate change mitigation planning efforts. A comprehensive climate action plan will be developed, to overlap with and be synonymous to the required update to Vermont's Climate Action Plan in 2025.

[Received January 12, 2024]

JFO #3176: \$250,000.00 to the Agency of Human Services, Department of Mental Health from the National Association of State Mental Health Program Directors. These funds will increase rapid access to behavioral health care by supporting the peer service component of the mental health urgent care clinic being established in Chittenden County. This clinic will offer an alternative to seeking mental health care in emergency departments

[Received January 11, 2024]